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POWER BUSINESS TECHNOLOGY, LLC

7 **BOUTIN JONES INC.**

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12 Attorneys for Defendants

WiZiX Technology Group, Inc., Gary Johnson,

13 Tyler Johnson, Brad Farnum, and Joseph Power

14 **UNITED STATES DISTRICT COURT**

15 **EASTERN DISTRICT OF CALIFORNIA**

17 POWER BUSINESS TECHNOLOGY, LLC,

Case No. 2:23-CV-00518 AC

18 Plaintiff,

STIPULATION AND [PROPOSED]  
ORDER MODIFYING SCHEDULING  
ORDER [ECF NOS. 45 & 47]

19 vs.

20 WiZiX TECHNOLOGY GROUP, INC.;  
GARY JOHNSON; TYLER JOHNSON;  
21 BRAD FARNUM; JOSEPH POWER; and  
DOE Defendants 1 through 20, inclusive,

22 Defendants.

Complaint filed: March 17, 2023

24 Plaintiff, Power Business Technology, Inc. ("Plaintiff") and Defendants, WiZiX Technology  
25 Group, Inc., Gary Johnson, Tyler Johnson, Brad Farnum, and Joe Power (collectively "Defendants"),  
26 by and through their counsel of record, met and conferred on the existing scheduling order, issued on  
27 September 18, 2024 and modified on May 21, 2025. (ECF Nos. 45 and 47.)

28

1       The Parties agree that, despite diligent efforts to advance the case, good cause exists to modify  
 2 the scheduling order. FRCP Rule 16(b). While the parties agreed, and the Court approved, to extend  
 3 the discovery deadlines in this matter in May of 2025, additional time is still necessary to complete  
 4 discovery and prepare for trial. Specifically, discovery will require the review and production of a  
 5 significant amount of electronically stored information (“ESI”) and will include the exchange of  
 6 highly sensitive information. To that end, the parties have entered into an ESI protocol and a  
 7 stipulated protective order. (*See* ECF Nos. 49-50.) However, despite the parties initially agreeing to  
 8 search terms for Defendants’ production, and despite Defendants’ diligently engaging e-Discovery  
 9 vendors for assistance, over 400,000 possibly responsive documents have been identified. As a result,  
 10 the parties need to continue to meet and confer regarding new search terms and/or a technology  
 11 assisted review protocol (“TAR”) in order to review these documents and/or cull these documents to  
 12 a reasonable amount for review. Moreover, the parties have conducted the discovery that could be  
 13 performed before the aforementioned production is delivered. The first round of interrogatories have  
 14 been completed by both sides. As for depositions, Plaintiff has conducted a party deposition (of a  
 15 party-employee that admittedly did not send many emails), and Defendants have their first person  
 16 most knowledgeable deposition scheduled for September 30, 2025.

17       However, due to the nature of the allegations and disclosures in this case, the parties anticipate  
 18 that they will likely need to take more than 20 depositions combined—which cannot occur until after  
 19 Defendants’ initial document production is made. This is necessary as the majority of third party  
 20 witnesses are anticipated to be identified from the documents production. The current fact discovery  
 21 deadline of December 1, 2025 creates an unnecessary burden on all parties, and will prevent this  
 22 matter from being fully adjudicated on the merits, especially in light of the extraordinary amount of  
 23 potentially responsive documents.

24       Accordingly, the Parties hereby stipulate and submit the following proposed changes to  
 25 certain deadlines in the scheduling order:

<b>Deadline</b>	<b>Current Deadline</b>	<b>Proposed Deadline</b>
Fact Discovery Shall Be Completed	December 1, 2025	September 1, 2026

1	Disclosure of Initial Experts and Production of Reports	December 15, 2025	September 15, 2026
2	Disclosure of Rebuttal Experts and Production of Reports	January 5, 2025	October 5, 2026
3	Expert Discovery Shall be Completed	January 16, 2026	October 16, 2026
4	Deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications	January 23, 2026	October 23, 2026
5	Final Pretrial Conference	February 25, 2026 at 10:00 a.m.	December 2, 2026 at 10:00 a.m. (or first available date thereafter)
6	Jury Trial	April 27, 2026 at 9:00 a.m.	February 1, 2027 at 10:00 a.m. or first available date thereafter)

16 DATED: September 22, 2025

17 STOEL RIVES LLP

18 By: /s/ Corey M. Day19 THOMAS A. WOODS  
COREY M. DAY  
20 Attorneys for Plaintiff POWER  
BUSINESS TECHNOLOGY, LLC21  
22 DATED: September 22, 2025

BOUTIN JONES INC.

23  
24 BY: /s/ Ian K. McGlone25 Daniel S. Stouder  
Ian K. McGlone26 Attorneys for Defendants  
27 WiZiX Technology Group, Inc., Gary Johnson,  
Tyler Johnson, Brad Farnum, and Joseph Power

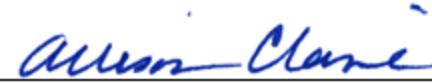
1 [PROPOSED] ORDER

2 Before the Court is the Parties' stipulation regarding proposed changes to the September  
 3 18, 2024 scheduling order, which was previously modified by the May 21, 2025 stipulation and  
 4 order. (ECF Nos. 45 and 47.) After reviewing the stipulation, the Court finds that good cause  
 5 exists to revise the scheduling order and revises it as follows:

6 <b>Deadline</b>	7 <b>Current Deadline</b>	8 <b>New Deadline</b>
Fact Discovery Shall Be Completed	December 1, 2025	September 1, 2026
Disclosure of Initial Experts and Production of Reports	December 15, 2025	September 15, 2026
Disclosure of Rebuttal Experts and Production of Reports	January 5, 2025	October 5, 2026
Expert Discovery Shall be Completed	January 16, 2026	October 16, 2026
Deadline to file all motions, except motions for continuances, temporary restraining orders, or other emergency applications	January 23, 2026	October 23, 2026
Final Pretrial Conference	February 25, 2026 at 10:00 a.m.	December 2, 2026 at 10:00 a.m.
Jury Trial	April 27, 2026 at 9:00 a.m.	February 1, 2027 at 10:00 a.m.

23 IT IS SO ORDERED.

24 DATED: September 23, 2025

25   
 26 ALLISON CLAIRE  
 27 UNITED STATES MAGISTRATE JUDGE